

Message Text

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ACTION ARA-10

INFO OCT-01 IO-10 ISO-00 ARAE-00 INRE-00 SSO-00 NSCE-00

USIE-00 ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01 CIAE-00

CIEP-01 OFA-01 DLOS-04 DODE-00 DOTE-00 EB-07 EPA-01

ERDA-05 FEAE-00 FMC-01 TRSE-00 H-02 INR-07 INT-05

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-04 PRS-01 SP-02 SS-15 ERDE-00 /108 W

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FM AMEMBASSY NASSAU

TO SECSTATE WASHDC IMMEDIATE 7111

INFO COMDT COGARD WASHDC PRIORITY

COMDR COGARD DIST SEVEN MIAMI PRIORITY

USDOC WASHDC PRIORITY

USMISSION GENEVA PRIORITY

C O N F I D E N T I A L NASSAU 1366

E.O. 11652: GDS

TAGS: EFIS, BF

SUBJ: US/BAHAMAS SPINY LOBSTER NEGOTIATIONS

REF: NASSAU 1349 AND PREVIOUS

FROM US DELEGATION

GENEVA PASS AMBASSADOR CLINGAN LOS DEL

DEPT FOR ARA-ASST SEC ROGERS, OES/OFA, L/OES, ARA/CAR

1. TODAY'S SESSION OPENED WITH PRESENTATION OF SCIENTIFIC
COMMITTEE'S AGREED REPORT ON SUSTAINABLE YIELD OF SPINY LOBSTER
FROM BAHAMIAN BANKS, INCLUDING: (A) ESTIMATED PEAK ANNUAL
PRODUCTION OF 10 MILLION POUNDS IS WITHIN THE SUSTAINABLE ANNUAL
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YIELD POTENTIAL, (B) BAHAMIAN CATCH IS OF THE ORDER OF 4 TO

4.5 MILLION POUNDS, AND (C) THERE IS AN UNUTILIZED SURPLUS OF APPROXIMATELY 5 MILLION POUNDS AVAILABLE FOR FURTHER EXPLOITATION.

2. GCOB CHAIRMAN OF DELEGATION ADDERLEY EMPHASIZED NEED FOR CONSERVATIVE EVALUATION OF DATA, BUT DID NOT DIRECTLY CHALLENGE THE MAGNITUDE OF AVAILABLE SURPLUS.

3. US CHAIRMAN OF DELEGATION WALLACE PROPOSED ADOPTION OF THE REPORT AND DISCUSSION OF ELEMENTS THAT MIGHT LEAD TO AN AGREEMENT ON UTILIZATION OF SURPLUS LOBSTERS.

4. ADDERLEY DID NOT AGREE TO ADOPTION OF THE REPORT AND NOTED THAT SIMPLE AVAILABILITY OF SURPLUS ALONE DID NOT PROVIDE BASIS FOR AGREEMENT. IN ADDITION IT WAS NECESSARY TO ESTABLISH AN ACCEPTABLE BALANCE OF RECIPROCAL BENEFITS IN A BROAD SENSE AS THE BASIS FOR AN AGREEMENT. THIS COULD NOT RPT NOT BE PROVIDED BY ALLOWING BAHAMIAN FISHING OFF U.S. SINCE FLORIDA LOBSTER WERE FULLY UTILIZED AND BAHAMIANS LACKED CAPABILITY TO EXPLOIT OTHER RESOURCES THAT MIGHT BE AVAILABLE OFF U.S. COAST. THUS, BAHAMIANS WERE INTERESTED IN SPECIFICS OF WHAT U.S. MIGHT OFFER TO BALANCE AGREEMENT AND PROVIDED BROAD BASIS FOR RECIPROCITY.

5. US DEL REVIEWED PREVIOUS PROPOSALS NOTING THE BENEFITS THAT U.S. COULD PROVIDE WITH LICENSE FEES, TAX ON LANDINGS, SUBSTANTIAL ENFORCEMENT ASSISTANCE, EXPANDED SCIENTIFIC ASSESSMENT EFFORTS, AND ASSISTANCE IN TRAINING BAHAMIAN FISHERMEN. LATTER POINT WAS ELABORATED IN SOME DETAIL NOTING WHAT COULD BE DONE UNDER EXISTING AUTHORITY, E.G. TRAINING BAHAMIANS IN U.S. GOVERNMENT FACILITIES, ADVICE FROM U.S. SPECIALISTS IN SETTING UP TRAINING FACILITIES, AND ARRANGING TO PLACE BAHAMIAN APPRENTICE FISHERMEN ABOARD U.S. COMMERCIAL VESSELS FOR ON-THE-JOB TRAINING.

6. ADDERLEY SAID HIS VIEW WAS THAT NONE OF THESE ITEMS PROVIDED THE BALANCE OF BENEFITS WHICH BAHAMIANS COULD ACCEPT. WHEN USDEL REQUESTED ADDERLEY TO GIVE SOME INDICATION OF WHAT WOULD CONSTITUTE RECIPROCITY IN BAHAMIAN VIEW, HE SAID HE DID NOT KNOW. HE EMPHASIZED THAT THE BURDEN OF DEVELOPING PROPOSALS

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THAT MIGHT CONSTITUTE RECIPROCITY WAS ENTIRELY ON THE U.S. AND HE COULD NOT OFFER ANY GUIDANCE IN THAT DIRECTION.

7. US DEL EXPRESSED SHARP DISAPPOINTMENT OVER ADDERLEY'S POSITION AND NOTED THAT FAILURE OF TALKS WOULD BE A MATTER OF SERIOUS CONCERN TO U.S. SPINY LOBSTER FISHERMEN WHO HAVE FISHED FOR A NUMBER OF YEARS QUITE LEGITIMATELY ON THE HIGH SEAS FOR LOBSTERS ON THE BAHAMA BANKS. THE SUDDEN EXCLUSION OF THESE

FISHERMEN FROM THEIR TRADITIONAL MEANS OF LIVELIHOOD WITHOUT ANY PERIOD OF ADJUSTMENT WOULD OBVIOUSLY BE VERY TRAUMATIC IN HUMAN AS WELL AS ECONOMIC TERMS.

8. IN SUMMARY, AT THE END OF TODAY'S SESSION OF TALKS, US DEL WAS LEFT WITH CLEAR IMPRESSION THAT EVEN THOUGH THERE MIGHT WELL BE AN AMOUNT OF SPINY LOBSTER WHICH IS CLEARLY SURPLUS AND SHOULD BE HARVESTED, ACCESS TO THAT SURPLUS WOULD ONLY BE GRANTED BY GCOB UPON PAYMENT OF SOME SUBSTANTIAL FEE OR BENEFIT WHICH WOULD GO MUCH BEYOND ANYTHING WHICH HAS THUS FAR BEEN OFFERED. OR WHICH US DEL HAS AUTHORITY TO OFFER, SUCH AS SUBSTANTIAL NEW AID PROJECTS. ALTHOUGH ADDERLEY PROMISED TO COMMENT MORE FULLY ON GCOB POSITION AT THURSDAY SESSION, DELEGATION EXPECTS HE WILL ONLY REHASH STATEMENTS PREVIOUSLY MADE, WINDING UP WITH CONCLUSION THAT GCOB DOES NOT SEE ANY BASIS FOR NEGOTIATION BETWEEN OUR TWO GOVERNMENTS, BUT POSSIBLY LEAVING OPEN OPTION FOR US DEL TO COME BACK ON FRIDAY WITH ADDITIONAL PROPOSALS.

9. GIVEN THE ACTION OF LAST WEEKEND'S ATTEMPTED BREAKOFF OF TALKS, WE DO NOT EXPECT ADDERLEY TO TRY TO CONCLUDE TALKS UNILATERALLY. WE EXPECT HE WILL MAKE AN EFFORT TO HAVE TERMINATION BY MUTUAL ASSENT. AT THAT POINT, US DEL DOES NOT INTEND TO ASSENT TO MUTUAL CONCLUSION OF TALKS, AND WILL INSTEAD MAKE STATEMENT ALONG LINES INDICATED IN SEPTEL OF NEXT CONSECUTIVE MESSAGE REFERENCE NUMBER, WHICH LEAVES OPEN POSSIBILITY OF CONTINUING TO EXPLORE SOME BASIS FOR AGREEMENT, IF BAHAMIANS WILLING TO CONTINUE NEGOTIATIONS.

10. HOWEVER, ALL AVAILABLE OFFERS OF TECHNICAL ASSISTANCE, TRAINING, ENFORCEMENT, ETC., WHICH CAN BE MADE UNDER EXISTING AUTHORITY AND BUDGETS OF NOAA AND COAST GUARD HAVE NOW BEEN MADE DURING THE TALKS. SHORT OF USAID ASSISTANCE OR OTHER

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CONGRESSIONAL AUTHORIZATION, THERE ARE NO FURTHER OFFERS WE CAN MAKE TO TRY AND BALANCE MR. ADDERLEY'S RECIPROCITY SCALES. ADDITIONALLY, SIGNIFICANTLY MORE SUBSTANTIVE OFFERS WOULD RAISE QUESTION OF WHETHER THE FISHERY IS WORTH THE EXPENDITURE.

11. IN SPITE OF ALL OUR BEST EFFORTS HERE, HOWEVER, UNLESS DEPT CAN IDENTIFY SOME SOURCE OF AID OR OTHER QUID TO OFFER GCOB IN EXCHANGE FOR ACCESS AGREEMENT, TALKS ARE UNLIKELY TO GO MUCH BEYOND FRIDAY. AT THAT POINT, WE WILL HAVE TO FACE UP TO THE PROBABLE CONSEQUENCES OF NON-AGREEMENT AS IDENTIFIED IN EARLIER REFTELS, DECIDE WHETHER WE CAN ACCEPT THOSE CONSEQUENCES AND, IF SO, PICK OUR METHOD OF TERMINATION. WHILE DEL WILL REPORT IMMEDIATELY RESULTS OF THURSDAY MEETING, DEPT SHOULD BE PREPARED TO ADVISE DELEGATION ON VERY SHORT NOTICE REGARDING MOST ADVANTAGEOUS POSITION FOR U.S. TO TAKE IN FINAL

STAGE OF TALKS.

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